

By: Read, Eakes, Broomfield, Brown, Coleman To: Appropriations  
(29th), Denny, Flaggs, Gadd, Livingston,  
Martinson, Mitchell

HOUSE BILL NO. 1663  
(As Passed the House)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
3 MISSISSIPPI DEPARTMENT OF TRANSPORTATION; AND FOR RELATED  
4 PURPOSES, FOR THE FISCAL YEAR 2001.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. The following sum, or so much thereof as may be  
7 necessary, is hereby appropriated out of any money in the State  
8 Treasury to the credit of the Department of Transportation Funds,  
9 for the purpose of defraying the administrative expenses of the  
10 Mississippi Department of Transportation for the fiscal year  
11 beginning July 1, 2000, and ending June 30, 2001.....  
12 .....\$ 936,508,743.00.

13 SECTION 2. The following offices are supported by the funds  
14 appropriated in Section 1: The Office of Administrative Services,  
15 the Office of Highways, the Office of Aeronautics and Rails and  
16 the Office of Enforcement. Of the funds appropriated under the  
17 provisions of Section 1, not more than the amounts set forth below  
18 shall be expended for the respective major objects or purposes of  
19 expenditure:

20 MAJOR OBJECTS OF EXPENDITURE:

21 Personal Services:

22 Salaries, Wages and Fringe Benefits...\$ 115,595,333.00  
23 Travel and Subsistence..... 3,000,000.00  
24 Contractual Services..... 90,297,981.00  
25 Commodities..... 20,744,067.00

26 Capital Outlay:

27 Other Than Equipment..... 595,022,393.00

28	Equipment.....	10,000,000.00
29	Subsidies, Loans and Grants.....	<u>101,848,969.00</u>
30	Total.....	\$ 936,508,743.00

31 AUTHORIZED POSITIONS:

32	Permanent: Full Time.....	3,380
33	Part Time.....	19
34	Time-Limited: Full Time.....	0
35	Part Time.....	0

36 With the funds herein appropriated, it is the intention of  
37 the Legislature that it shall be the agency's responsibility to  
38 make certain that funds required to be appropriated for "Personal  
39 Services" for Fiscal Year 2002 do not exceed Fiscal Year 2001  
40 funds appropriated for that purpose, unless programs or positions  
41 are added to the agency's Fiscal Year 2002 budget by the  
42 Mississippi Legislature. Based on data provided by the  
43 Legislative Budget Office, the State Personnel Board shall  
44 determine and publish the projected annual cost to fully fund all  
45 appropriated positions in compliance with the provisions of this  
46 act. It shall be the responsibility of the agency head to insure  
47 that no single personnel action increases this projected annual  
48 cost and/or the Fiscal Year 2001 appropriation for "Personal  
49 Services" when annualized. If, at the end of any calendar month,  
50 the State Personnel Board determines that the agency has taken  
51 action(s) which would cause the agency to exceed this projected  
52 annual cost or the Fiscal Year 2001 "Personal Services"  
53 appropriated level, when annualized, then only those actions which  
54 reduce the projected annual cost and/or the appropriation  
55 requirement will be processed by the State Personnel Board until  
56 such time as the requirements of this provision are met.

57 Any transfers or escalations shall be made in accordance with  
58 the terms, conditions and procedures established by law.

59 No general funds authorized to be expended herein shall be  
60 used to replace federal funds and/or other special funds which are

61 being used for salaries authorized under the provisions of this  
62 act and which are withdrawn and no longer available.

63 SECTION 3. Of the funds appropriated to the Mississippi  
64 Department of Transportation under the provisions of Section 1 and  
65 authorized for expenditure in Section 2, the following amounts  
66 shall be available for expenditure in the program budgets as  
67 required by Section 27-103-127, Mississippi Code of 1972:

68	Administration and Other Expenses.....	\$ 36,800,000.00
69	Construction.....	\$ 692,789,129.00
70	Maintenance.....	\$ 149,473,445.00
71	Debt Service.....	\$ 45,146,169.00
72	Law Enforcement.....	\$ 8,700,000.00
73	Aeronautics, Rails and other.....	\$ 3,600,000.00

74 SECTION 4. Of the funds appropriated in Section 1 and  
75 authorized for expenditure in Section 2, it is the intention of  
76 the Legislature that One Hundred Thousand Dollars (\$100,000.00)  
77 shall be transferred to the Department of Agriculture and Commerce  
78 for the Beaver Control or Eradication Program during the Fiscal  
79 Year 2001.

80 SECTION 5. Of the funds appropriated under the provisions of  
81 this act, the Mississippi Department of Transportation may expend  
82 out of these funds such sums as may be necessary to provide  
83 transportation and transportation related services, including the  
84 operation or use of buses, vans or other vehicles owned or leased  
85 by the Mississippi Department of Transportation, in support of the  
86 annual meeting of the Southern Legislative Conference hosted by  
87 the State of Mississippi.

88 SECTION 6. Of the funds appropriated to the Mississippi  
89 Department of Transportation, Three Hundred Thousand Dollars  
90 (\$300,000.00) shall be used for the Statewide Litter Prevention  
91 Program.

92 SECTION 7. It is the intention of the Legislature that the  
93 Mississippi Department of Transportation shall have the authority

94 to escalate and expend funds from any proceeds arising from  
95 participation in drug seizure activities not to exceed Fifty  
96 Thousand Dollars (\$50,000.00).

97 SECTION 8. Of the construction funds appropriated in Section  
98 1 and allocated in Section 2, it is the intention of the  
99 Legislature that priority shall be given in letting paving  
100 contracts on grade, drain and bridge projects which have been  
101 completed for six (6) months or more. This action will not  
102 prohibit the Department of Transportation from letting paving  
103 contracts on grade, drain and bridge projects which have been  
104 completed for less than six (6) months.

105 SECTION 9. Of the funds herein appropriated, up to Four  
106 Hundred Thousand Dollars (\$400,000.00) may be used to move  
107 buildings from property authorized for conveyance in House Bill  
108 No. 523, Regular Session 2000.

109 SECTION 10. It is the intention of the Legislature that the  
110 Executive Director of the Department of Transportation may  
111 transfer between the various programs authorized in Section 3  
112 funds not to exceed ten percent (10%) of the total funds  
113 authorized in Section 1, except that transfers cannot be made into  
114 the "Administration and Other Expense Program." The Executive  
115 Director of the Department of Transportation shall submit written  
116 justification for the transfer to the Legislative Budget Office  
117 and the Department of Finance and Administration on or before the  
118 fifteenth of the month prior to the effective date of the  
119 transfer.

120 SECTION 11. It is the intention of the Legislature that the  
121 Department of Transportation be allowed to escalate its budget in  
122 the "Capital Outlay" major object of expenditure and the  
123 appropriate corresponding program, with funds generated as a  
124 result of third party damages an amount not to exceed Two Million  
125 Dollars (\$2,000,000.00).

126 SECTION 12. The Mississippi Department of Transportation is

127 hereby authorized and directed to conduct a pilot maintenance  
128 project on U. S. Highway 78 between the Tennessee and Alabama  
129 state lines that is projected to save the department monies over a  
130 five-year period.

131 SECTION 13. Of the funds herein appropriated, funds in the  
132 amount of Two Hundred Thousand Dollars (\$200,000.00) are provided  
133 to construct turn lanes to Highway 145 to improve safety and  
134 accessibility to Saltillo High School at Saltillo.

135 SECTION 14. It is the intention of the Legislature that the  
136 Department of Transportation be allowed to escalate its budget in  
137 either the "Capital Outlay" or "Commodities" major object of  
138 expenditure and the Maintenance Program, with funds which were  
139 obligated in Fiscal Year 2000 for maintenance overlay projects and  
140 maintenance repair projects but not completed before the end of  
141 the Fiscal Year 2000.

142 SECTION 15. The following sum, or so much thereof as may be  
143 necessary, is hereby reappropriated out of any money not expended  
144 in Fiscal Year 2000 by the Department of Transportation in the  
145 equipment category for the fiscal year beginning July 1, 2000, and  
146 ending June 30, 2001.....\$ 1,100,000.00.

147 SECTION 16. The money herein appropriated shall be paid by  
148 the State Treasurer out of any money in the State Treasury to the  
149 credit of the proper fund or funds as set forth in this act, upon  
150 warrants issued by the State Fiscal Officer; and the State Fiscal  
151 Officer shall issue his warrants upon requisitions signed by the  
152 proper person, officer or officers, in the manner provided by law.

153 SECTION 17. This act shall take effect and be in force from  
154 and after July 1, 2000.